IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 20TH SEPTEMBER 2006 / 29TH BHADRA 1928

Bail Appl..No. 5697 of 2006

CRIME NO. 1014/2006 OF KARUNAGAPPALLY POLICE STATION

PETITIONER/ACCUSED:

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1. NIZAR, AGED 24 YEARS,
   S/O. RAHIM, BANGLOWIL VADAKKATHAIL,
   KALLELIBHAGAM MURI, KALLELIBHAGAM VILLAGE,
   KARUNAGAPPALLY.

2. SUDHEER, AGED 24 YEARS,
   S/O. SIDHIQUE, SUDHEER MANZIL, MUZHANGODI MURI,
   KALLELIBHAGAM VILLAGE, KARUNAGAPPALLY.

3. SAJITH, AGED 23 YEARS,
   S/O. VASUDEVAN, SAJI BHAVANAM, KALLELIBHAGAM MURI,
   KALLELIBHAGAM VILLAGE, KARUNAGAPPALLY.

4. SHABEER, AGED 18 YEARS,
   S/O. ASHRAFF, KOLLITHARATHEKKATHIL,
   KALLELIBHAGAM MURI, KALLELIBHAGAM VILLAGE,
   KARUNAGAPPALLY.

BY ADV. SRI.T.GOPALAKRISHNAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KARUNAGAPPALLY, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5697/2006

DATED THIS THE 20TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioners are before this Court, under Section 438 Cr.P.C, as they are accused of the offence punishable under Sections 143, 147, 148, 294(b), 324, 447 and 427 IPC read with Section 149 IPC.

2. The prosecution alleges that on 6.9.2006 at 11.00 p.m, the petitioners had trespassed into the house of the defacto complainant and caused damages to the properties and caused injuries to the defacto complainant and his mother. Hence Karunagappally Police Station authorities registered crime No.1014/2006 of that police station.

3. The learned counsel for the petitioners submitted that the petitioners had gone to the locality in connection with Avittam celebrations after Onam, and they had no other intentions. But the facts revealed by the prosecution belies the submissions made by the counsel.

4. However, as the offence alleged against the petitioners are bailable, the petitioners may approach the Court below or the Investigating Officer, as the case may be for bail.

Hence this application is dismissed.

J.M.JAMES
JUDGE

mrcs